

Tribal/EPA Ground Water/UIC inspections 6/24/05, page 1 of 6

UIC

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

**July 25, 2005**

**Subject:** Inspection Report: Rincon Band of Luiseno Mission Indians, Underground Injection Control Well/Ground Water Vulnerability Inspections

**By:** Elizabeth Janes, Ground Water Office, US EPA Region 9 (USEPA)

415-972-3537

**Objective:** Responding to tribal request to conduct joint inspections of sites that may pose a risk to underground sources of drinking water, and to report recommendations to all involved parties

**Date of Inspection:** June 24, 2005

**Present during inspections:**

Gilbert Parada, Tribal Council member  
Kristie Orosco, Tribal Environmental Director  
John Parada, Tribal Environmental Technician  
Ed Young, Rural Community Assistance Corporation (RCAC)  
Dave Harvey, RCAC  
Elizabeth Janes, USEPA

**1. Mushroom Express, 33777 Valley Center Road, Valley Center, CA 92082**

**Contacts:** Present for the Inspection: Nik (refused to give last name)  
Marvin Donius, Owner  
David Lopez, Operations Manager  
(not present for inspection)

**Figure guide**

1. Septic tank access

Tribal/EPA Ground Water/UIC inspections 6/24/05, page 2 of 6

2. Industrial drainage
3. Laundry sump
4. Laundry sump
5. Drinking Water well
6. Truck maintenance area
7. Waste oil storage
8. Auto impoundment (fenced and guarded by dogs)
9. Truck parking area

**Observations:** This facility is bounded on all sides by the Rincon Reservation. The Rincon Tribal Environmental Program scheduled the inspection with the Site and requested EPA accompany them. The United States Environmental Protection Agency, Region 9 Ground Water Office (EPA) was present to evaluate the site's wastewater disposal practices, particularly for threats to ground water. Because the owner of the property was not there, access was limited to the outdoor areas of the lot.

Mushroom Express was primarily a mushroom farming operation until the early 1990s, utilizing two multi-bay concrete or stone buildings to grow mushrooms for wholesale distribution. The lot currently is used for housing, office space, automotive impoundment(8), truck trailer parking(9), truck repair (6), and packing/redistribution (4). There is also a compost pile at the rear of the lot (close to the pumphouse for the disconnected water supply well(5).)

Most of the lot is paved. All stormwater that falls on the premises would flow to the front or rear of the property, where it would pool or evaporate, except for an unpaved area (beneath the truck trailers, (9) or from the edges of the paved area underlying the auto impoundment.

The waste oil storage area(7) (approximately 36 square feet, concrete block walls 36" high) is full of 55-gallon drums that are overflowing. While it is somewhat protected from the weather with a roof, the concrete block used to contain the tanks is not watertight, as there was leaking from the rear. Waste oil and oil tanks were located not just in that area but across the southern end of the lot. While waste oil alone may not constitute a major risk to ground water quality, its poor storage at this site is an indication that other fluids are not being properly managed. There were other unlabeled containers, underneath truck trailers and along the southern fence, of automotive fluids.

Interior and exterior walls of mushroom houses were coated with a goldenrod-colored substance that appeared to be eroding over time (insulation or fungus or ?), with possible air quality implications. There are also mechanical devices present in the area between the two mushroom houses which were not fully investigated for leaks or connections to the industrial septic system.

Two washing machine discharges, one from each building, are plumbed to brick-lined, dirt-bottomed sumps. Both were full of gray water at the time of inspection

The site's drinking water well was disconnected and it appeared that all water needs on the site were being met by multiple garden hoses strung end to end from an adjacent Tribal residential property, east of the site. Inspectors followed one line of hoses into one of the mushroom growing rooms where a hose or hose joint was dripping rapidly, sufficient to provide humidity for some mushroom cultivation.

**Findings:** Potentially contaminating activities at the site include improper storage of waste oil, undocumented materials in the truck repair area, and injection wells used for sewage and other fluids.

*Tribal/EPA Ground Water/UIC inspections 6/24/05, page 3 of 6*

Underground Injection Well (UIC) 1: Sanitary wastewater from the entire lot is plumbed to a septic system between the south building and Valley Center Road. EPA recommends that this system be pumped by a licensed sewage pumper, with a Rincon tribal environmental professional present, to document the volume and construction design of the system. RCAC is also willing to participate in that inspection to assist evaluation of the system's performance. If a County permit has already been issued for the operation of the system, it should be provided to EPA. If it is found to be a cesspool and not a septic system, then it is prohibited and EPA should be notified.

UIC 2: The site is also equipped with another system which Nik explained served the mushroom cooling/humidifier system when the farm was in full operation, but is no longer used. This system is also subject to UIC regulation.

UIC 3 and 4: Sumps receiving laundry wash water are subject to the Underground Injection Control regulations.

#### **Site Specific Recommendations:**

The drinking water supply for the Tribe should be protected by requiring backflow prevention, either before the house connection, or before the hose connection from the house supplying water to the site.

If the drinking water well on the site is no longer functioning, its cause of failure should be documented and the well properly destroyed, so that the well bore does not transmit surface contaminants to underground sources of drinking water. If this is the case, a more permanent source of drinking water for the site should be obtained, either a new well or a legal hookup to the Tribal public water system.

Ground Water/Wastewater concerns: EPA will notify business owner of their obligation to inventory their (4) injection wells, and will include compliance assistance information with that correspondence. EPA will provide best management practice guidelines for the storage of motor vehicle fluids to the facility owner. This will include general RCRA compliance assistance.

EPA will recommend that in the course of determining septic system location, capacity and design, that the Tribe be provided with advance notice of the pumping date so that they can be present to evaluate the condition of the injection well(s). EPA recommends that the Tribe contact RCAC as well, to utilize RCAC's technical expertise in evaluating the condition of the wastewater system.

This site should be reinspected for compliance with applicable housing and hazardous materials regulations.

A copy of the letter being sent to Mushroom Express is attached.

Mushroom Express Inspection 6/24/05

6/24/05

## VIA CERTIFIED MAIL

Marvin Donius, Owner  
David Lopez, Operations Manager  
Mushroom Express  
33777 Valley Center Road  
Valley Center, CA 92082

Dear Mr. Donius:

On June 24, 2005, the United States Environmental Protection Agency, Region 9 Ground Water Office (EPA) accompanied the Rincon Tribe Environmental Department on an inspection of Mushroom Express. EPA's objective in performing the inspection was to identify any activities at the premises that could or do pose a threat to the quality of ground water, which is a source of drinking water for the tribe, and could also affect drinking water wells on this property. EPA's authority for conducting this inspection comes from its authority pursuant to the U.S. Safe Drinking Water Act, Underground Injection Control (UIC) regulations. Because neither Marvin Donius nor David Lopez of Mushroom Express were available, EPA, tribal representatives, and staff from the Rural Community Assistance Corporation (RCAC) were led on the inspection by an employee named Nik, and our inspection access was limited primarily to the outdoor portions of the lot.

All subsurface infiltration via constructed devices such as sumps, seepage pits, and leachfields is subject to UIC regulations. Additionally, various land uses that allow spills and leaks to occur, or accelerate the movement of contaminants to the water table (such as unsealed drinking water wells) may be prohibited if they are endangering to underground sources of drinking water. Potentially contaminating activities at the site include improper storage of waste oil, undocumented materials in the truck repair area, and injection wells used for sewage and other fluids.

**I. Discharges subject to the Underground Injection Control (UIC) regulations**

Underground Injection Well (UIC) 1: Sanitary wastewater from the entire lot is plumbed to a septic system between the south building and Valley Center Road.

Recommendation: EPA recommends that this system be pumped by a licensed sewage pumper, with a Rincon tribal environmental professional present, to document the volume and construction design of the system. RCAC (Ed Young) is also willing to participate in that inspection to assist evaluation of the system's performance. If a County permit has already been issued for the operation of the system, it should be provided to EPA.

UIC 2: The site is also equipped with another system which Nik explained served the mushroom cooling/humidifier system when the farm was in full operation, but is no longer used. This system is also subject to UIC regulation.

UIC 3 and 4: Sumps receiving laundry wash water are subject to the Underground Injection Control

Pump  
sewageSoil  
SAMPSoil  
SAMP

Was it?

Mushroom Express Inspection 6/24/05

regulations.

*was this received?**NEVER  
Rec'd from owner:  
E. James 1/16/08**Registered*

Requirements: All injection wells are subject to two minimum requirements: they must be registered on the Inventory of Injection Wells (40 CFR part 144.26) and they must not be used in a manner that could endanger underground sources of drinking water (40 CFR part 144.12.) In order to comply with those requirements, please complete the enclosed inventory form and return it to EPA at the address above. If there are any infiltrative devices that were not identified during the inspection which you would like to report, please add them to the form. If you have questions about the regulations, please call EPA or consult [www.epa.gov/region09/water/groundwater/uic-classv.html](http://www.epa.gov/region09/water/groundwater/uic-classv.html).

It is the obligation of injection well owner/operators to know the location, capacity and contents of injection wells. Currently EPA does not require additional monitoring or reporting from owners or operators of most shallow injection wells. The regulations authorize EPA to require sampling, characterization and closure of any injection well. Injection well owner/operators who suspect that their well(s) may have been used for illegal disposal should report that activity to EPA to avoid criminal penalties.

Motor vehicle fluid disposal via injection wells, and the use of large-capacity cesspools for the disposal of sanitary waste/sewage from premises serving 20 or more persons per day, are two discharges prohibited through the UIC regulations. If the UIC 1 is found to be a cesspool rather than a septic system, you may be required to add a septic tank in order to be in compliance. If any motor vehicle repair fluids are being discharged to any of the injection wells on the premises, this practice should stop immediately.

## II. Other site activities potentially impacting ground water

Motor vehicle fluid storage, including waste oil, is inadequate to prevent contamination of soil, either from direct discharge or from exposure to wash and stormwater that could move contaminants to injection wells or to unpaved areas. The berm surrounding the waste oil area was visibly leaking at the time of the inspection.

*soil  
SAMP*

**Recommendation:** EPA recommends at a minimum that all waste fluids be legally removed by a licensed waste oil/hazardous waste hauler, and that all usable materials be stored in a lockable bermed and roofed area. Waste fluids should not be combined, and all waste containers should be marked with their contents. Spills should be allowed to evaporate or cleaned up with absorbents, not washed with water. Please retain receipts, manifests and other documentation in case that disposal is questioned.

The inspection did not uncover any pesticides or herbicides, but if they are present at the facility they should also be properly contained.

## III. Drinking Water supply concerns.

While it is not in the purview of the UIC regulations, EPA is including these recommendations as they pertain directly to the health of persons residing and working at the site, as well as the quality of ground water in the area.

If the drinking water well on the site is no longer functioning, it should be properly destroyed so that it does not become a conduit to the water table for contamination. If it may be reconnected in the future, it should be equipped with backflow prevention. The temporary drinking water supply system using garden hoses from an adjacent Tribal residence is unsanitary and may also be in violation of

Mushroom Express Inspection 6/24/05

the drinking water regulations.

**Recommendation:** At a minimum, the shed housing the drinking water supply well should be locked. For further guidance on drinking water well safety, well abandonment, and drinking water supply, please consult with Kristie Orosco, Rincon Tribal Environmental Director ([korosco@rincontribe.org](mailto:korosco@rincontribe.org)), Helen McKinley at (415) 972-3559 or [mckinley.helen@epa.gov](mailto:mckinley.helen@epa.gov), and/or Ed Young at RCAC; he can be reached at [eyoung@rcac.org](mailto:eyoung@rcac.org).

Enclosed are the partially completed inventory form and some additional guidance on motor vehicle fluids management. Please contact Elizabeth Janes at (415) 972-3537 or [janes.elizabeth@epa.gov](mailto:janes.elizabeth@epa.gov) if you have any corrections regarding our findings or questions concerning this letter.

Sincerely,

David Albright  
Manager, Ground Water Office (WTR9)

cc: K. Orosco, Rincon Tribe  
E. Young, Rural Community Assistance Corporation  
H. McKinley, EPA R9 Drinking Water Office

Monitor  
ng